

## United States District Court

United States District Court  
Southern District of Texas  
FILED

SOUTHERN

DISTRICT OF  
McALLEN DIVISION

TEXAS

JUL 31 2014

UNITED STATES OF AMERICA  
V.

CRIMINAL COMPLAINT

David J. Bradley, Clerk

Luis Edgar Castillo-Rodriguez *Principal*  
A202 004 291 YOB: 1978

the United Mexican States

Case Number:

Yolanda Cerda-Garza *Co-Principal*  
A202 004 292 YOB: 1984

the United Mexican States

M-14-1472-M

(Name and Address of Defendant)

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On or about July 30, 2014 in Hidalgo County, in the Southern District of Texas defendants(s) did,  
(Track Statutory Language of Offense)

knowing or in reckless disregard of the fact that Laura Gabriela Oliva-Toj and Debora Elizabeth Garcia-Lopez, citizens and nationals of Guatemala, along with twenty-four (24) other undocumented aliens, for a total of twenty-six (26), who had entered the United States in violation of law, concealed, harbored or shielded from detection or attempt to conceal, harbor, or shield from detection such aliens in any place, including any building or means of transportation,

in violation of Title 8 United States Code, Section(s) 1324(a)(1)(A)(iii)  
I further state that I am a(n) U.S. Senior Border Patrol Agent and that this complaint is based on the following facts:

On July 28, 2014 Agents commenced surveillance for this case when they encountered a GMC Yukon in Weslaco, Texas. The Yukon appeared to have altered suspension and was travelling in tandem with a Honda passenger car. Both vehicles arrived at 17475 N. FM 491 in La Villa, Texas. Agents then observed several subjects exit the residence and run into the GMC Yukon. Based on experience, Agents suspected the Honda was serving as a lookout and the Yukon was transporting suspected illegal aliens. Agents followed the Yukon for further observations but were unable to make contact due to limited resources. Later that day, Agents conducting roving patrol noticed the described GMC Yukon on FM 186. As Agents were in the line of sight of the Yukon, the vehicle drove into a brushy area and was left abandoned. Inside the Yukon were several common characteristics with alien smuggling to include unopened gallons of water and black trash bags with canned food. No arrests were made at that time and Agents suspected the address mentioned was being utilized to harbor undocumented aliens. **SEE ATTACHED:**

Continued on the attached sheet and made a part of this complaint:

☒ Yes ☐ No

Agree to F.C.  
Quila  
AuA 7.31.14

*Fredberto Hernandez*  
Signature of Complainant

Frediberto Hernandez Senior Patrol Agent

Printed Name of Complainant

Sworn to before me and subscribed in my presence,

July 31, 2014  
Date

at McAllen, Texas  
City and State

Peter E. Ormsby, U. S. Magistrate Judge  
Name and Title of Judicial Officer

*Peter E. Ormsby*  
Signature of Judicial Officer

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
McALLEN, TEXAS**

**ATTACHMENT TO CRIMINAL COMPLAINT:**

**M-14-1472-M**

**RE: Luis Edgar Castillo-Rodriguez  
Yolanda Cerda-Garza**

**A202 004 291  
A202 004 292**

**CONTINUATION:**

On the following day, Agents observed a brown Ford Explorer arrive at the residence and drop off one suspected illegal alien. Agents attempted to locate the vehicle when it departed but were unsuccessful.

On July 30, 2014, the same brown Ford Explorer from the previous day arrived once again at the suspected harboring location. A male and female exited the vehicle and entered the residence and then departed the area. Hidalgo County Constables Office was contacted and provided assistance. Constable R. Alvarez located the vehicle and conducted a traffic stop for disregarding a stop sign. Border Patrol Agent (BPA) I. Rodriguez and J. Trevino assisted Constable Alvarez in interviewing the subject's in the vehicle. The driver, Luis Edgar CASTILLO-Rodriguez, and passenger, Yolanda CERDA-Garza, both admitted to being illegally present in the United States. CASTILLO was questioned regarding his presence at the suspected harboring location. He stated there were approximately 20 illegal aliens at the home and he also admitted transporting one undocumented alien the day prior (7/29). CASTILLO claimed to have control of the property and granted Agents verbal and written consent to search the residence.

A consent to search was conducted at 17475 N. FM 491 and resulted in the apprehension of 26 undocumented aliens. All of the subjects were transported for further questioning and processing. Based on the Agents observations, material witness statements, and their own admissions, CASTILLO and CERDA were linked to alien smuggling in this case.

**Principal Statements:**

Both principals were read their Miranda Rights and provided a statement without an attorney present.

Luis Edgar CASTILLO-Rodriguez claimed to be a citizen of Mexico. He stated at the time of his arrest, he was on his way to dispose of the trash from the house and purchase food for the people. He further stated he and his girlfriend, Yolanda CERDA-Garza, were responsible for delivering food, water, and other items to the stash house and were paid \$200 a week. He stated in total, they have been paid \$800 for their services. CASTILLO also admitted transporting illegal aliens to the stash house on two occasions.

Yolanda CERDA-Garza claimed to be a citizen of Mexico. She stated at the time of her arrest, her and her boyfriend, CASTILLO, were on their way to purchase groceries for the illegal aliens. She further stated they were responsible for providing food and water and made arrangements to be paid \$200 a week. She also admitted to transporting four illegal aliens with her boyfriend from Mission, Texas. CERDA added when she and CASTILLO would arrive at the stash house, she would not go inside since he did not let her due to their being too many males inside.

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
McALLEN, TEXAS**

**ATTACHMENT TO CRIMINAL COMPLAINT:**

**M-14-1472-M**

**RE: Luis Edgar Castillo-Rodriguez  
Yolanda Cerda-Garza**

**A202 004 291  
A202 004 292**

**CONTINUATION:**

**Material Witness Statements:**

Both material witnesses were read their Miranda Rights and provided a statement without an attorney present.

Laura Gabriela Oliva-Toj claimed to be a citizen of Guatemala and illegally entered into the United States. She made arrangements to pay \$6,000 to be smuggled into the U.S. After making her entry, she stated she was picked up by a vehicle and transported to the stash house where she was arrested. Oliva-Toj identified Luis Edgar CASTILLO-Rodriguez as the person who transported her. She added he was also the person responsible for providing food and water for the illegals at the house. She further stated he would arrive with a female but she would never get out of the car.

Debora Elizabeth Garcia-Lopez claimed to be a citizen of Guatemala and illegally entered into the United States. She made arrangements to pay \$5,000 to be smuggled into the U.S. After making her entry, she was subsequently picked up by a male and female and transported to the house where she was arrested. She identified the driver as Luis Edgar CASTILLO-Rodriguez and passenger as Yolanda CERDA-Garza. She further stated she saw CASTILLO and CERDA arrive at the house with food and also transported other subjects to the stash house.

\*There were no unaccompanied minors at the harboring location.